

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

KLAUSNER TECHNOLOGIES, INC., a New York corporation,	§	
	§	
Plaintiff,	§	Case No. 6:08-cv-341 (LED)
	§	
vs.	§	(JURY TRIAL)
	§	
Verizon Wireless (Cellco Partnership d/b/a Verizon Wireless), a Delaware general partnership; Verizon Data Services LLC, a Delaware limited liability company; Bell Atlantic Communications, Inc., a Delaware corporation; Citrix Systems, Inc., a Delaware corporation; Comverse, Inc., a Delaware corporation; Cox Communications, Inc., a Delaware corporation; Embarq Communications, Inc., a Delaware corporation; Google Inc., a Delaware corporation; GrandCentral Communications, Inc., a Delaware corporation; LG Electronics Mobilecomm U.S.A., Inc., a California Corporation; PhoneFusion, Inc., a Delaware corporation; RingCentral, Inc., a California Corporation,	§	
	§	
Defendants.	§	

**PLAINTIFF KLAUSNER TECHNOLOGIES, INC.’S REPLY  
TO COUNTERCLAIMS OF RINGCENTRAL, INC.**

Plaintiff Klausner Technologies, Inc. (“Klausner”) hereby answers the counterclaims of Defendant RingCentral, Inc. (“RingCentral”). The paragraphs in this reply are numbered to correspond with the paragraph numbers in RingCentral’s counterclaims; accordingly, the first numbered paragraph is number 36. All of the allegations of the counterclaims not specifically admitted herein are specifically denied.

### **The Parties**

36. Upon information and belief, Klausner admits the allegations contained in paragraph 36 of RingCentral's counterclaims.

37. Klausner denies the allegations contained in paragraph 37 of RingCentral's counterclaims.

38. Klausner admits the allegations contained in paragraph 38 of RingCentral's counterclaims.

39. Klausner admits the allegations contained in paragraph 39 of RingCentral's counterclaims.

### **Jurisdiction**

40. Klausner admits that this Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338.

41. Klausner admits the allegations contained in paragraph 41 of RingCentral's counterclaims.

### **Venue**

42. Klausner admits that venue over these counterclaims is proper in this District Court.

### **Count 1: Declaratory Relief Regarding the '576 Patent**

43. Klausner admits the allegations contained in paragraph 43 of RingCentral's counterclaims.

44. Klausner denies the allegations contained in paragraph 44 of RingCentral's counterclaims.

45. Klausner denies the allegations contained in paragraph 45 of RingCentral's counterclaims.

**Count 2: Declaratory Relief Regarding the '818 Patent**

46. Klausner admits the allegations contained in paragraph 46 of RingCentral's counterclaims.

47. Klausner denies the allegations contained in paragraph 47 of RingCentral's counterclaims.

48. Klausner denies the allegations contained in paragraph 48 of RingCentral's counterclaims.

**Prayer for Judgment**

Klausner denies that RingCentral is entitled to the judgment it seeks or any relief for the allegations made in its counterclaims.

**Jury Demand**

Klausner demands trial by jury of all issues.

Dated: January 15, 2009

Respectfully submitted,

By: /s/ Elizabeth L. DeRieux

S. Calvin Capshaw  
State Bar No. 03783900  
Elizabeth L. DeRieux  
State Bar No. 05770585  
N. Claire Abernathy  
State Bar No. 24053063  
CAPSHAW DERIEUX, LLP  
1127 Judson Road, Suite 220  
Longview, Texas 75601  
Telephone: (903) 236-9800  
Facsimile: (903) 236-8787  
E-mail: [ccapshaw@capshawlaw.com](mailto:ccapshaw@capshawlaw.com)  
E-mail: [ederieux@capshawlaw.com](mailto:ederieux@capshawlaw.com)  
E-mail: [chenry@capshawlaw.com](mailto:chenry@capshawlaw.com)

Gregory S. Dovel  
California State Bar No. 135387  
Sean A. Luner  
California State Bar No. 165443  
Christin K. Cho  
California State Bar No. 238173  
DOVEL & LUNER, LLP  
201 Santa Monica Blvd., Suite 600  
Santa Monica, California 90401  
Telephone: (310) 656-7066  
Facsimile: (310) 657-7069  
E-mail: [greg@dovellaw.com](mailto:greg@dovellaw.com)  
E-mail: [luner@dovellaw.com](mailto:luner@dovellaw.com)  
E-mail: [christin@dovellaw.com](mailto:christin@dovellaw.com)

**ATTORNEYS FOR PLAINTIFF,  
KLAUSNER TECHNOLOGIES, INC.**

**CERTIFICATE OF SERVICE**

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served this 15<sup>th</sup> day of January, 2009, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3). Any other counsel of record will be served via electronic mail, facsimile transmission and/or first class mail on this same date.

/s/ Elizabeth L. DeRieux